

Introduced by Senator BerryhillFebruary 17, 2012

An act to amend Section 815 of the Government Code, relating to government liability.

LEGISLATIVE COUNSEL'S DIGEST

SB 1120, as introduced, Berryhill. Government liability.

Existing law governs the tort liability and immunity of, and claims and actions against, public entities and their officers and employees. A public entity, as defined, is not liable for an injury, except as otherwise provided by statute, whether the injury arises out of an act or omission of the public entity or a public employee or any other person.

This bill would make technical, nonsubstantive changes to this provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 815 of the Government Code is amended
- 2 to read:
- 3 815. Except as otherwise provided by statute:
- 4 (a) A public entity is not liable for an injury, whether ~~such~~ *the*
- 5 injury arises out of an act or omission of the public entity ~~or~~, a
- 6 public employee, or any other person.
- 7 (b) The liability of a public entity established by this part
- 8 ~~(commencing with Section 814)~~ is subject to any immunity of the
- 9 public entity provided by statute, including this part, and is subject

- 1 to any ~~defenses~~ *defense* that would be available to the public entity
- 2 if it were a private person.